

5. FEB. 2002 14:30  
27. JAN. 2002 10:03

PATENTABTEILUNG  
PATENTABTEILUNG

02 530 3

NR. 655 S. 2  
NR. 49/ S. 2

PATENT Docket No.  
Serial No.

Page 1 of 3

Docket No.

CERA 233 (10108725)

### Declaration and Power of Attorney for Patent Application English Language Declaration

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

#### MEDICAL INSTRUMENTS

the specification of which (check one)

☐ Is attached hereto.

☒ was filed on September 28, 2001 as U. S. Serial No. 09/937,722  
as United States Application No. or PCT International Application No. \_\_\_\_\_  
and was amended on \_\_\_\_\_ (if applicable).

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56.

I hereby claim foreign priority benefits under Title 35, United States Code, Section 119(a)-(d) or Section 365(b) of any foreign applications(s) for patent or inventor's certificate, or Section 365(a) of any PCT international application which designated at least one country other than the United States, listed below and have also identified below, by checking the box, any foreign application for patent or inventor's certificate or PCT international application having a filing date before that of the application on which priority is claimed.

#### Prior Foreign Application(s)

			Priority Not Claimed
<u>199 16 149.6</u> (Number)	<u>DE</u> (Country)	<u>April 11, 1999</u> (Filing Date)	<input type="checkbox"/>
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Filing Date)	<input type="checkbox"/>
<u>                    </u> (Number)	<u>                    </u> (Country)	<u>                    </u> (Filing Date)	<input type="checkbox"/>

PTO SB-025078345.1

1 (6-95) Patent and Trademark Office-U.S. DEPARTMENT OF COMMERCE

20020222 22:46:50

5. FEB. 2002 14:31  
2. FEB. 2002 10:03

PATENTABTEILUNG  
IN TEILNACHRICHTUNG

NR. 655  
NR. 491

S. 3  
S. 3

PATENT Docket No.  
Serial No.

Page 2 of 3

I hereby claim the benefit under 35 U.S.C. Section 119(e) of any United States provisional application(s) listed below:

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under 35 U.S.C. Section 120 of any United States application(s), or Section 365(c) of any PCT international application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT international application in the manner provided by the first paragraph of 35 U.S.C. Section 112, I acknowledge the duty to disclose to the United States Patent and Trademark Office all information known to me to be material to patentability as defined in Title 37, CFR, Section 1.56 which became available between the filing date of the prior application and the national or PCT international filing date of this application:

PCT/EP00/03240

April 11, 2000

Pending

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

(Application Serial No.)

(Filing Date)

(Status)

(patented, pending, abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

PTO SB-025078345.1

1 (6-96) Patent and Trademark Office-U.S. DEPARTMENT OF COMMERCE

20020222 032802

PATENT Docket No.  
Serial No.

Page 3 of 3

**POWER OF ATTORNEY:** As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith:

John E. Lynch, Reg. No. 20,940; Peter F. Felfe, Reg. No. 20,297, Norman D. Hanson, Reg. No. 30,946, John A. Bauer, Reg. No. 32,554, James Zubok, Reg. No. 38,671, James R. Crawford, Reg. No. 39,155, Andrew Im, Reg. No. 40,657 and David Rubin, Reg. No. 40,314, my attorneys with full power of substitution and revocation.

Send Correspondence to: James R. Crawford

Fulbright & Jaworski LLP  
666 Fifth Avenue  
New York, New York 10103

Direct Telephone Calls to: James R. Crawford, 212-318-3148

Full name of sole or first inventor <b>Ralf-Peter FRANKE</b>	
Sole or first inventor's signature <i>R. P. Franke</i>	Date <b>9.11.2001</b>
Residence Rosenäckerweg 14, D-89160 Dornstadt, Germany	
Citizenship German <b>DEU</b>	
Post Office Address  SAME AS ABOVE	

Full name of second inventor, if any <b>Michael FRIPAN</b>	
Second inventor's signature <i>M. Fripan</i>	Date <b>28.01.02</b>
Residence Südstrasse 19, D-71522 Backnang, Germany <b>DEU</b>	
Citizenship German	
Post Office Address  SAME AS ABOVE	

20020222 2274660

5. FEB. 2002 014:3103

PATENTABTEILUNG

NR. 655 — S. 5  
NR. 471 S. 2

PATENT Docket No.  
Serial No.

Page 4 of 3

300

Full name of third inventor, if any <b>Wolfgang BURGER</b>	
Third inventor's signature <i>Wolfgang Burger</i>	Date <b>25.1.02</b>
Residence <b>Mühlhaldenweg 75, D-73207 Plochingen, Germany</b> <i>DEU</i>	
Citizenship <b>German</b>	
Post Office Address  <b>SAME AS ABOVE</b>	

400

Full name of fourth inventor, if any <b>Herbert RICHTER</b>	
Fourth inventor's signature <i>H. Richter</i>	Date <b>25.1.02</b>
Residence <b>Schillerweg 14, D-73257 Kötigen, Germany</b> <i>DEU</i>	
Citizenship <b>German</b>	
Post Office Address  <b>SAME AS ABOVE</b>	

00037722.033802